

D. INCAPACITY CASE MANAGEMENT**WAC 388-448-0130 Treatment and referral requirements.**

We refer you to medical providers or other agencies for treatment or rehabilitation to improve your ability to engage in gainful employment or reduce your need for GAU.

"Available medical treatment" means medical, surgical, chemical dependency, or mental health services, or a combination of them.

- (1) We give you written information regarding your treatment requirements when you are initially approved, and at each redetermination.
- (2) You must accept and follow through on required medical treatment unless you have a convincing reason for not doing so. Examples of good cause are found in WAC 388-448-0140.
- (3) If your basic claim of incapacity is alcoholism or drug dependency, we refer you for evaluation under the alcoholism and drug addiction treatment and support act (ADATSA).
- (4) We may require you to undergo alcohol or drug treatment before re-evaluating eligibility for GAU.
- (5) You may request a fair hearing if you disagree with the treatment or referral requirements we set for you. If you request a fair hearing we will not reduce or stop your benefits as a result of your refusal to follow the requirement until the fair hearing is decided.

WAC 388-448-0140 Good cause for refusing medical treatment or other agency referrals.

We may determine that you have good cause for refusing required treatment or referrals to other agencies. We may require you to provide documentation to support your good cause claim. Valid reasons for refusing treatment and other agency referrals include, but are not limited to, the following:

- (1) Treatment referrals:

(a)	You are so fearful of the treatment that your fear could interfere with the treatment or reduce its benefits;
(b)	Treatment could cause further limitations or loss of a function or an organ and you are not willing to take that risk;
(c)	You practice an organized religion that prohibits treatment; or
(d)	Treatment is not available without cost to you.
(2)	Treatment or other agency referrals:
(a)	You did not have enough information on the requirement or did not receive written notice of the requirement;
(b)	The requirement was made in error;
(c)	You are temporarily unable to participate because of documented interference, or
(d)	Your medical condition or limitations are consistent with the definition of necessary supplemental accommodation (NSA), WAC 388-200-1300, and your condition or limitations contributed to your refusal.

WAC 388-448-0150 Penalty for refusing medical treatment or other agency referrals.

- (1) If you refuse required treatment or agency referral without having good cause, we will stop your GAU benefits.
- (2) We stop your GAU benefits until you agree to accept and pursue the required treatment service or referral.
- (3) If you reapply, you must wait for a penalty period to pass before you begin getting benefits. The penalty is based on how often you have refused:

Refusal	Penalty
First	One week
Second within six months	One month

Third and subsequent within one year	Two months
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WORKER RESPONSIBILITIES**GA-U Sanctions**

Terminate assistance when a client is denied for failure to satisfactorily participate in treatment or agency referrals. If the client reapplies prior to termination the period of ineligibility begins the day following the day of termination. If the client reapplies after the date of termination the period of ineligibility begins the date of re-application.

ACES PROCEDURES**Sanctions**

1. ACES has various status codes and letters related to GA sanctions. When the ISW sends a notice that a client has failed to cooperate, terminate assistance by entering the reason code in the (AU Status Reasons) field. You must add freeform text to the notice or suppress the notice and generate the appropriate letter.
2. If the period of ineligibility coincides with the incapacity review month add this to the text:

“You must continue to cooperate with the Incapacity Social Worker and provide the required information for your incapacity review.”